

**DISTRICT COURT OF THE UNITED STATES
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:19-cv-00106-MR**

HUGH LOCKLEAR, SR.,)	
)	
Plaintiff,)	
)	
vs.)	
)	
ERIK A. HOOKS,)	<u>ORDER</u>
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Plaintiff's "Motion To Withdraw ALL COURT Motion And COURT ACTIONS" [Doc. 19], which the Court construes as a motion for voluntary dismissal under Rule 41 of the Federal Rules of Civil Procedure.

Plaintiff filed this action pursuant to 42 U.S.C. § 1983 on August 13, 2019, against Defendants N.C. Department of Public Safety (NCDPS) and Erik A. Hooks, alleging that Defendants are infringing his rights under the First Amendment by preventing Plaintiff from practicing certain elements of his Native American religion. [Doc. 1]. Plaintiff's Complaint survived initial review as to Defendant Hooks and Defendant NCDPS was dismissed. [Doc. 9]. On July 27, 2020, Defendant Hooks answered Plaintiff's Complaint. [Doc. 17].

Plaintiff now moves the Court to “withdraw all court motion[s] and court actions” ... “without provudice [*sic*].” [Doc. 19]. Under Rule 41 of the Federal Rules of Civil Procedure, the Court may dismiss an action on Plaintiff’s request “on terms that the court considers proper.” FED. R. CIV. P. 41(a)(2). The Court sees no reason to deny Plaintiff’s motion for voluntary dismissal here and will grant Plaintiff’s motion without prejudice.

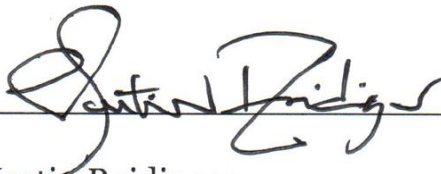
ORDER

IT IS THEREFORE ORDERED that Plaintiff’s motion [Doc. 19] is **GRANTED**, and this action is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: October 1, 2020



Martin Reidinger
Chief United States District Judge

